

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OLIVER JIANG, individually and on behalf
of all others similarly situated,

Plaintiff,

- against -

JAMES M. CHIRICO, JR., and KIERAN J.
McGRATH,

Defendants.

ORDER

23 Civ. 1258 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

With respect to the parties' pending motions for the appointment of lead plaintiff (Dkt. Nos. 19, 34), Plaintiff City of Pittsburgh Comprehensive Municipal Pension Trust Fund ("Pittsburgh") is directed to make a submission by **January 26, 2024** addressing why the alleged disclosures that were made prior to Pittsburgh's sale June 27, 2022 sale of its shares in Avaya Holdings Corp. (see Cmpl't. (Dkt. No. 1) ¶¶ 7-10, 85-88, 90-93, 97; Rosenfeld Decl., Ex. D. (Dkt. No. 36-4)) constitute "corrective disclosures." See Ark. Teachers Ret. Sys. v. Goldman Sachs Grp., Inc., 879 F.3d 474, 480 n.3 (2d Cir. 2018).

Plaintiff Paul Sweatt's response is due **February 2, 2024**. In his response, Sweatt will also clarify the calculation of his total loss in light of the analysis applied in Sallustro v. CannaVest Corp., 93 F. Supp. 3d 265 (S.D.N.Y. 2015).

Dated: New York, New York
January 19, 2024

SO ORDERED.



Paul G. Gardephe
United States District Judge